

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA**

**JANET M. HARVEY,**

**Plaintiff,**

**v.**

**JO ANNE B. BARNHART,  
Commissioner of Social Security,**

**Defendant.**

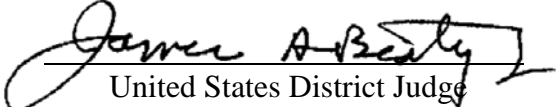
**1:03CV00417**

**J-U-D-G-M-E-N-T**

The Recommendation of the United States Magistrate Judge was filed with the court in accordance with 28 U.S.C. § 636(b) and, on January 3, 2006, was served on the parties in this action. No objections were filed within the time limits prescribed by § 636.

The court hereby adopts the Magistrate Judge's Recommendation.

**IT IS THEREFORE ORDERED AND ADJUDGED** that the Commissioner's motion to dismiss for lack of prosecution [Pleading No. 14] be **GRANTED** and that this action be, and is hereby, dismissed.

  
United States District Judge

Date: May 9, 2006